

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Upon entry of this amendment, claims 1 and 4-9 will be pending. Claims 2-3 have been canceled. Applicants acknowledge the allowance of Claims 5-7 and 9.

Claims 1-2 stand rejected under 35 USC 102(e) as being anticipated by Nguyen, 2003/0110357. In an effort to expedite issuance of a patent based on this application, Applicant has incorporated the allowable subject matter from Claim 3 into Claim 1 and as such, Claim 1 should be allowed.

Applicant expressly reserves the opportunity to file a continuation application directed to the subject matter of original Claims 1 and 2.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice to that effect is earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

By


David A. Jakopin, Reg. No. 32,995
650-233-4790

CUSTOMER NO. 27498
2475 Hanover Street
Palo Alto, CA 94304

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: December 21, 2005


Signature

KATHLEEN M. SMITH

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

09/991,487

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